

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

**JAMES E. DAVIS, ET AL individually
and on behalf of all others similarly situated**

PLAINTIFFS

VS.

3:11CV093-M-A

ACA FINANCIAL GUARANTY CORPORATION

DEFENDANT

ORDER

The undersigned conducted a telephonic status conference on November 13, 2012, during which defendant requested that all discovery, other than specific discovery requests relating to the issue of class certification as determined by the parties, be stayed until the court resolves as yet unfiled motions to dismiss and to stay this action. The motions, which defendant anticipates filing by December 3, 2012, are prompted by the pendency of an appeal in a related case, *Oppenheimer v. ACA Financial Guaranty Corp.*, No 653290/11 (N.Y. Sup. Ct. N.Y. Co.); defendant anticipates resolution of the appeal during the first quarter of 2013. The undersigned denied the defendant's request, but hereby extends the time to respond to outstanding discovery until January 4, 2013.¹

SO ORDERED, this, the 13th day of November, 2012.

/S/ s. ALLAN aLEXANDER
UNITED STATES MAGISTRATE JUDGE

¹Defendant will immediately designate for plaintiff the particular discovery requests to which it believes it requires responses to allow it to fully respond to plaintiff's anticipated motion for class certification that will be filed by December 3, 2012. Plaintiff must respond to those specific requests in a timely manner, but need not respond to the remaining discovery requests before January 4, 2013.